

Mayor Ernie Wentreck
Mayor Pro Tem Paul Madison

Councilmembers
Russell Bradley
Mark Conlee
Ben Hardeman
Joe Marin
Boyd Sheffield

AGENDA

**BRYAN CITY COUNCIL
REGULAR MEETING
TUESDAY, JUNE 22, 2004 – 4:30 P.M.
COUNCIL CHAMBERS, BRYAN MUNICIPAL BUILDING
300 SOUTH TEXAS AVENUE, BRYAN, TEXAS**

- 1. CALL TO ORDER (Room 305)**
- 2. EXECUTIVE SESSION** - The City Council has determined a necessity to go into a closed to the public session under the provisions of Section 551, Texas Government Code, and the following topics may be discussed: under the authority of Section 551.071, consultation with attorney - seek advice of legal counsel regarding the performance of contractual obligations for the Traditions project and pending litigation related thereto, and seek advice of legal counsel regarding CCN applications at the TCEQ involving OSR and Brushy Water Supply Corporations; under the authority of Section 551.072, deliberation regarding real property - possible acquisition of property for Justice Center; under the authority of Section 551.074, personnel matters - receive and discuss report from Council appointees and consultant regarding personnel matters; under the authority of Section 551.087, deliberation regarding economic development negotiations - discussion of offer of financial or other incentives for development of the Tejas Center; and under the authority of Section 551.076, deliberation regarding security devices – discussion of implementation of security measures for the city hall building.
- 3. OPEN SESSION FOR ACTION FOLLOWING EXECUTIVE SESSION, IF NECESSARY (COUNCIL CHAMBERS)**
- 4. INVOCATION (Approximately 6:00 p.m. - Pastor Dolphus Jones, Greater Tabernacle Baptist Church) AND PLEDGE OF ALLEGIANCE**
- 5. PROCLAMATIONS AND PRESENTATIONS**
 - Proclamation for National HIV Testing Day
 - Recognition of Master Sergeant Chris Jadowski
 - 2004 Employee Service Awards
- 6. HEAR CITIZENS**

7. REZONING REQUEST (RZ 04-03)

a. Public Hearing - [Rezoning Request \(RZ 04-03\)](#) - Joey Dunn

Receive public comment regarding a request to amend Comprehensive Zoning Ordinance No. 756, as amended, of the City of Bryan, Texas, changing the zoning classification of 'A-O' Agricultural Open to 'I' Industrial for approximately 5.925 acres of land located at the intersection of Highway 21 East and Marino Road, in the Marino Estates Highway 21 East Subdivision, Bryan, Brazos County, Texas.

b. First Reading of an Ordinance - [Rezoning Request \(RZ 04-03\)](#) - Joey Dunn

First reading of an ordinance of the City of Bryan, Texas, amending the Comprehensive Zoning Ordinance No. 756, as amended, of the City of Bryan, Texas, changing the zoning classification of 'A-O' Agricultural Open to 'I' Industrial for approximately 5.925 acres of land located at the intersection of Highway 21 East and Marino Road, in the Marino Estates Highway 21 East Subdivision, Bryan, Brazos County, Texas.

8. CONSENT (AUTOMATIC APPROVAL) AGENDA

This agenda consists of ministerial or "housekeeping" items required by law. Items may be removed from the consent agenda by majority vote of the Council.

a. Approval of [Minutes](#) - Workshop and Regular meetings of May 25, 2004, Special meeting of June 3, 2004, and Workshop and Regular meetings of June 8, 2004.

b. Consideration - [Annual Contract for Automotive and Truck Repair Parts](#) – David Schmitz

Consider approving the first one-year extension of an existing contract for annual price agreement for automotive and truck repair parts with NAPA Auto Parts of College Station, Texas, in the amount of \$80,000. Source of Funds: Various City Departments - Vehicle Maintenance Accounts. ([Bid Tabulation](#)) ([Extension Acceptance Letter](#))

c. Consideration - [Annual Contract for Crushed Rock Flexible Base](#) - Barbara Bayer

Consider award of annual contract for crushed rock flexible base with Colorado Materials, Ltd., of Bryan, Texas, in the amount of \$254,000. Source of Funds: Transportation Operating Budget. ([Bid Tabulation](#))

d. Consideration - [Annual Contract for Electrical Supplies](#) - Lawrence Carter and David Schmitz

Consider award of annual contract for electrical supplies with Elliott Electric Supply of Bryan, Texas, in the amount of \$150,000. Source of Funds: Facility Services: General Fund/Building Maintenance - \$50,000; Public Works/Water Production: Enterprise Fund/System Maintenance - \$50,000; Waste Water Treatment: Enterprise Fund/System Maintenance - \$50,000. ([Bid Tabulation](#))

- e. **Consideration - [Annual Contract for MSC Storage Yard Stockpile Removal](#) - Barbara Bayer**

Consider award of the first contract extension for annual price agreement for MSC storage yard stockpile removal with Brazos Site Works of Bryan, Texas, in the amount of \$87,900 (based on estimated quantities). Source of Funds: Transportation Services Operating Budget (General Fund); Water Services Operating Budget (Enterprise Fund) and Environmental Services Operating Budget (Enterprise Fund). ([Bid Tabulation](#))

- f. **Consideration - [Annual Contract for Office Supplies](#) - Roger Dempsey**

Consider award of annual price agreement with Boise Office Solutions of Houston, Texas, in the amount of \$135,000 (estimated annual expenditure), for the purchase of office supplies by all city departments. ([Cooperative Agreement with TAMU](#)) ([Letter Agreement](#)) ([Price Comparison](#))

9. STATUTORY AGENDA

This agenda consists of items previously approved by Council action, such as adoption of items that are part of an approved budget or capital improvements project, first readings of ordinances, or action which is required by law or delegated to the City Manager. Items may be removed from the statutory agenda at the request of two Councilmembers.

- a. **Consideration - [Engineering Design Contract for Beck Street Extension Project](#) - Paul Kaspar**

Consider award of engineering design contract to Epsilon Engineering, Inc., in an amount not to exceed \$681,123 for the Beck Street Extension Project. Source of Funds: 2003 Certificates of Obligation, Fund 362.

- b. **Consideration - [Land Acquisition Contract for Beck Street Extension Project](#) - Paul Kaspar**

Consider award of land acquisition contract to Threshold Land Services, Inc., in an amount not to exceed \$72,400 for the Beck Street Extension Project. Source of Funds: Certificates of Obligation, Fund 362.

- c. **Consideration - [First Amendment to the Performance and Development Agreement – Tejas Center, Inc.](#) - Kevin Russell**

Consider approving the First Amendment to the Performance and Development Agreement between Tejas Center, Inc., and the City of Bryan. This amendment includes \$283,864.43 to be paid by the developer to the City at the time this first amendment is executed and also includes the sales tax reimbursement to the developer in an amount not to exceed \$200,000. The City will rebate annually to the developer fifty percent of the City sales taxes received by the City from H.E.B. grocery store that is to be constructed within the Tejas Center project. Rebate will be for sales taxes generated during a maximum of four calendar years commencing in 2005. Source of Funds: General Fund Rebate from Sales Tax Collected.

- d. **Consideration - [Roadway, Sidewalk and Traffic Signal Construction at Tejas Center](#) - Paul Kaspar**

Consider award of construction contract to Young Contractors in an amount not to exceed \$608,164.43 (with the City's portion being \$326,300) for roadway, sidewalk and traffic signal

construction at the Tejas Center, subject to the submittal of required bonds and insurance. Source of Funds: 2003 Certificates of Obligation.

- e. **Resolution - [Dedicating Open Space for Texas Parks and Wildlife Recreation Grant](#) - David Schmitz**

Adoption of a resolution of the City Council of the City of Bryan, Texas, dedicating five acres of parkland along the creek/drainage way in the Henderson Community Park as open space for perpetuity as required by the Texas Parks and Wildlife Department.

- f. **First Reading of an Ordinance - [Alley Closing \(AC0402\) and Street Closing \(SC0401\)](#) - Beth Wilson**

First reading of an ordinance executing the closing of an approximate 149.91 foot portion of the 20 foot wide alley between Lots 3 and 5R and Lots 6 through 8, Block 150, Bryan Original Townsite, and an approximate two (2) foot by 122.90 foot portion of North Parker Avenue, adjacent to Lots 4R and 5R, Block 150, Bryan Original Townsite, both lying and being situated in Bryan, Brazos County, Texas; authorizing the Mayor to execute quitclaim deeds to the abutting property owners.

10. **REGULAR AGENDA**

This portion of the agenda consists of items requiring individual consideration by the Council.

- a. **Consideration - [Appointments to Parks and Recreation Advisory Board and Bryan Cemeteries Advisory Board](#) - Mary Lynne Stratta**

Consider appointment of one individual to the Parks and Recreation Advisory Board and one individual to the Bryan Cemeteries Advisory Board. Vacancies have been created by non-attendance of members on both committees. ([PRAB Applicants](#)) ([BCAB Applicant](#))

- b. **Consideration - [Appointments to The Research Valley Partnership Board](#) - Mary Lynne Stratta**

Consider appointment of two individuals to The Research Valley Partnership Board of Directors. One appointment is for a full three-year term; the other is to fill a vacancy with a term ending in June 2005. ([Applicants](#))

- c. **Consideration - [Conveyance of Phase VII, Traditions Subdivision](#) - David Storrie/John Blackburn**

Consider authorizing Mayor Ernie Wentrcek to execute closing documents incidental to the conveyance of Phase VII of the Traditions Subdivision. This action authorizes the execution of any closing documents requiring the City of Bryan's consent or approval in connection with the conveyance of land described as the Traditions Subdivision, Phase VII, 20.032 acres, Block 1, Lots 1 through 11 and Block 2, Lots 12 through 26 of the J.H. Jones Survey, A-26. The property will be used for residential development only and will provide 26 lots that will be immediately available for sale.

d. Resolution - Notice of Intent to Issue Combination Tax and Revenue Certificates of Obligation, Series 2004 - Kathern Davidson

Adoption of a resolution by the City Council of the City of Bryan, Texas, directing publication of Notice of Intention to Issue Combination Tax and Revenue Certificates of Obligation, Series 2004, in an amount not to exceed \$15,000,000 for the purpose of paying contractual obligations to be incurred by the City, to-wit, the acquisition of land and the costs of planning, design and preliminary site work for the construction of a new justice center to be located within the area bordered by 29th Street, Texas Avenue, 31st Street and Tabor Street; and the payment of fiscal, engineering and legal fees incurred in connection therewith; and providing an effective date.

11. COUNCIL COMMITTEE REPORTS

Intergovernmental Committee – Councilmember Bradley

12. CITY MANAGER'S REPORT AND COUNCIL CONCERNS

Staff recognition, upcoming meetings and events, reports on attendance at meetings and events, future Council agenda items.

13. ADJOURN

FOR INFORMATION ON SIGN LANGUAGE INTERPRETATION, TDD OR OTHER TRANSLATION OR ACCESSIBILITY INFORMATION, PLEASE CONTACT THE PUBLIC INFORMATION OFFICER AT 209-5120. PLEASE TRY TO CONTACT THE ABOVE PERSON AT LEAST 48 HOURS BEFORE THE SCHEDULED TIME OF THE MEETING SO THAT YOUR REQUEST MAY BE ACCOMMODATED.